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**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**GREAT FALLS DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>STANLEY PATRICK WEBER,</b>  <b>Defendant.</b>	<b>CR 18-14-GF-BMM</b>    <b>VOIR DIRE</b>
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The United State of America, represented by Jeffrey K. Starnes, Assistant United States Attorney for the District of Montana, submits the following proposed voir dire questions.

**PART I - General Voir Dire**

**I. BACKGROUND QUESTIONS**

**A. Knowledge of parties and attorneys**

1. Does any member of the panel know the defendant or any member of his family?

2. Does any member of the panel know the following potential witnesses for the United States?

(A final witness list will be provided prior to the commencement of trial.)

3. Does any member of the panel know any of the defendant's attorneys Harvey Steinberg, Ryan Cox, Stephen Burnstein, or Nicole Siefert?

4. Do you know, have you been represented by, or have friends or relatives who know or have been represented by, the defendant's attorney or any member of the defendant's attorney's staff?

5. Does any member of the panel know Assistant United States Attorneys Jeffrey K. Starnes or Lori Suek?

**B. Law Enforcement**

1. Have you ever received any training in law or law enforcement (police work of any kind)?

a. If you answered “yes,” please describe the nature of your training and length of the training.

2. Has any member of the panel, or relative or close friend, ever been employed by any federal, state, local, or private law enforcement agency, such as a police department, a sheriff’s office, a private security company, or a penitentiary or other custodial facility?

a. If so:

(1) in what capacity did you, your relative, or close friend serve?

(2) if a relative or close friend is or was so employed, do you or did you often discuss their work with them?

3. Does any member of the panel, or a relative or close friend, belong to any organization that is connected or related in any way to law enforcement, police departments, or police officers?

4. Do you belong to or associate with any groups that have crime prevention or law enforcement as a primary goal?

**C. Previous Jury Service**

1. Has any member of the panel previously served as a juror?

- a. If so, was the case civil or criminal in nature?
- b. If so, were you the foreperson?
- c. If so, do you remember the outcome of the trial?

**D. Previous Experience as a Party to Litigation**

1. Have you ever been a party to a lawsuit that has resulted in a trial?

- a. If so:
  - (1) Were you a plaintiff or a defendant?
  - (2) What was the nature of the litigation?
  - (3) Do you believe that you and/or the party with whom you were associated with in the litigation were treated fairly or unfairly by the legal system?

**E. Dealings with the Government**

1. Have you or any of your relatives or close friends ever had any unfavorable dealings or involvement, for example, disputes, lawsuits, audits, etc., with the United States Government, in general, a federal agency of the United States, or the United States Attorney's Office, in particular?

2. Do any of you have any personal feelings against the federal government or the U.S. Attorney's Office in Montana for any reason?

**F. Legal Training and Experience**

1. Have you had any training in law? If so:

a. Are you a practicing attorney?

(1) What was/is your area of practice?

(2) Has your practice ever involved criminal law?

(a) As a prosecutor? If so, where and when?

(b) As a defense attorney? If so, please describe the nature of your criminal defense practice?

2. Are you now, or have you ever been, a member of any criminal defense or prosecution-oriented associations or organizations? If so, please elaborate.

3. If you have ever practiced criminal law, or presently practice criminal law, either as a prosecutor or defense attorney, would that experience prevent you from being a fair and impartial juror in this case?

4. Are any members of your family, close friends, or work associates attorneys or employed in law offices? If so, what type of law practice are they involved in?

5. Have you ever been a party to a civil litigation, either as a plaintiff or

defendant? If so, what was the nature of the litigation and the outcome? Is there anything about that experience that would cause you difficulty in being fair and impartial in this case?

**G. Involvement in the Criminal Justice System**

1. Have you, or has any member of your family, or any close friend, ever been the victim of a crime or participated in a criminal case as a complainant, witness for the government, or in some other capacity? If yes, please explain.

2. Have you, or has any member of your family, or any close friend, been arrested or the subject of a criminal investigation, or participated in a criminal case as a defendant, witness for the defense, or in some other capacity? If yes, please explain.

**II. IMPAIRMENT AND BIAS QUESTIONS**

1. Do you have any physical or mental difficulties that might prevent you from seeing or reading exhibits introduced in evidence, from hearing the testimony that will come from the witness chair or otherwise interfere with your duties as a fair and impartial juror?

2. Are you now taking or do you anticipate taking medication of any kind during the course of the trial? What type of medication? Does this medication in any way affect your attention or your ability to concentrate, understand, consider, and weigh the evidence in this case?

3. Do you have any convictions, whether moral, political, religious, philosophical, or otherwise, that would prevent you from being a fair and impartial juror in this case or that would make it difficult for you to sit in judgment? For example, do you believe that no one should ever be convicted? Do you believe that a person is guilty just because he is here in court?

4. Does any member of the panel feel that the criminal justice system treats those accused of a crime too harshly or too leniently?

5. Does any member of the panel know any reason why you would be unable to give either the United States or the defendant a fair trial based solely on the evidence admitted at trial and the instructions given by the Court without regard to sympathy, bias, or prejudice?

## **PART II - Case Specific Voir Dire**

1. Have you or any member of your immediate family ever been a victim or witness to a violent or sexual offense?

2. Have any of you or any member of your immediate family ever been arrested or charged with a violent or sexual offense?

3. Do any of you believe that the United States government should not be involved in prosecuting offenses that occur on an Indian Reservation?

4. Do you know of any reason why you may be prejudiced for or against the United States, any witness, or the defendant?

DATED this 30th day of July, 2018.

KURT G. ALME  
United States Attorney

/s/ Jeffrey K. Starnes  
JEFFREY K. STARNES  
Assistant U.S. Attorney